



U.S. Department of  
Transportation

Office of the Secretary  
of Transportation

DOCUMENTARY SERVICE DIVISION  
Washington, D.C. 20590

97-32

Weekly Summary of Orders and  
Regulations

AUGUST 4 - AUGUST 8, 1997

Order	Docket	Summary	Date Action Taken
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(#) Published in the Federal Register.

97-7-33	OST-97-2419 UNDOC'D OST-97-2447 OST-97-2493 OST-96-1672 OST-97-2614 OST-97-2609 OST-97-2610 (50326) OST-97-2610 (50326) OST-96-1088 OST-97-2358 OST-97-2610 (50326)	APPLICATIONS OF AMERICAN AIRLINES, INC.; CONTINENTAL AIRLINES, INC.; DELTA AIR LINES, INC.; NORTHWEST AIRLINES, INC.; POLAR AIR CARGO, INC.; SCANDINAVIAN AIRLINES SYSTEM; UNITED AIR LINES, INC. FOR EXEMPTIONS OR AUTHORITIES UNDER 49 U.S.C. SECTION 40109 AND THE ORDERS AND REGULATIONS OF THE DEPARTMENT OF TRANSPORTATION The Department confirms the actions described in the Notices of Action Taken, which granted the referenced U.S. air carriers (1) exemptions from the provisions of Section 41101 and 41301, where necessary 41504 or as noted in the notices, other sections of Title 49 U.S.C.; or (2) relief or authorizations as provided for under regulations or orders of the Department, to the applicants to perform the operations described in the Notices of Action Taken. Served 8-5-97	7-30-97
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Intervening numbers appeared in a previous  
summary

Order	Docket	Summary	Date Action Taken
97-8-1	OST-97-2756	<p>APPLICATION OF HEAVYLIFT-VOLGADNEPR LTD. FOR AN EXEMPTION UNDER 49 U.S.C. SECTION 40109(g)</p> <p>The Department grants Heavylift-VolgaDnepr Ltd., authority to operate one one-way emergency cabotage flight between Philadelphia , Pennsylvania and Moffett Field (or Oakland International Airport), California, during the period August 5-9, 1997, to transport one outsized satellite and related equipment on behalf of Lockheed Martin Missiles &amp; Space.</p> <p>Served 8-1-97</p>	8-1-97
97-8-2	OST-97-2323	<p>APPLICATION OF NORTHERN AIR CARGO INC., NAC NETWORK, INC. d/b/a/ NACNET AND THE TRUSTEE IN BANKRUPTCY FOR MARKAIR EXPRESS, INC. FOR APPROVAL OF A TRANSFER OF A CERTIFICATE UNDER 49 U.S.C. 41105</p> <p>The Department finds that NAC Network, Inc. d/b/a NACNET is fit, willing, and able to engage in interstate air transportation of persons, property, and mail and transfers and reissues in the name NAC Network, Inc. d/b/a/ NACNET the certificate of public convenience and necessity issued to MarkAir Express, Inc., by Order 90-2-22 authorizing it to engage in interstate scheduled air transportation of persons, property, and mail in the form subject to the Terms, Conditions, and Limitations, including the conditions under which the authority will be made effective.</p> <p>Served 8-4-97</p>	8-4-97

Order	Docket	Summary	Date Action Taken
97-8-3	OST-97-2733	<p>NINETY-DAY NOTICE OF LYNDEN AIR CARGO, LLC. d/b/a LOKEN AVIATION UNDER 49 U.S.C. 41731 <i>et seq.</i> TO TERMINATE SERVICE AT ELFIN COVE AND PELICAN, ALASKA</p> <p>The Department requests that carriers interested in providing essential air service at Elfin Cove and Pelican, Alaska, submit their proposals, with subsidy if necessary, within 21 days after the date of service of this order. Proposals should include all the data required by Section 204.4 of the Department's Regulations. The Department prohibits Lynden Air Cargo d/b/a Loken Aviation from suspending service at Elfin Cove and Pelican at the end of its 90-day notice period and requires it to maintain historical service levels at each community through November 13, 1997, or until a carrier capable of providing reliable essential air service actually begins service, whichever comes first.</p> <p>Served 8-7-97</p>	8-4-97
97-8-4	UNDOC'D	<p>CARNIVAL AIR LINES, INC. VIOLATIONS OF 49 U.S.C. SECTION 41712, 14 CFR PART 399, AND ORDER 96-8-11</p> <p>The Department approves the settlement and the provisions of this order as being in the public interest and finds that Carnival Air Lines, Inc. Violated 14 CFR 399.84 by causing advertisements to be published that failed to state the entire price to be paid by the customer to the air carrier, or agent, for certain air transportation. By engaging in the conduct, it violated 49 U.S.C. Section 41712 which means Carnival also violated the cease and desist provisions of Order 96-8-11. Therefore, Carnival Air Lines, Inc., and all other entities owned or controlled by, or any other air carrier under common ownership</p> <p>Continued</p>	8-5-97

Order	Docket	Summary	Date Action Taken
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Continued

97-8-4	UNDOC'D	with, Carnival Air Lines, Inc., and their successors and assignees, are ordered to cease and desist from violations of 49 U.S.C. Sections 41712, 14 CFR, 399.84 and Order 96-8-11; and is assessed \$30,000 in compromise of civil penalties that might otherwise be assessed for the violations founded in this order. Served 8-5-97	8-5-97
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97-8-5	OST 97-2784 (486226, 47769, 47770, 4629 AND 46292)	ESSENTIAL AIR SERVICE AT AUGUSTA/WATERTVILLE, MAINE; BAR HARBOR, MAINE; ROCKLAND, MAINE; KEENE, NEW HAMPSHIRE; RUTLAND, VERMONT UNDER 49 U.S.C. 41731 <i>et seq.</i> The Department of Transportation is setting final annual subsidy rates for Colgan Air, Inc., d/b/a Continental Connection, for its provisions of essential air service at Keene, New Hampshire, Rutland, Vermont, and Augusta/Waterville, Bar Harbor and Rockland, Maine, for the period from October 1, 1997, or when the new service pattern is implemented, whichever is later, through December 31, 1998, at the Maine communities and through June 30, 1998, at Keene and Rutland. If sufficient funding is not available on October 1, 1997, to compensate Colgan in accordance with the ordering paragraphs, Colgan will continue to provide the service described in Orders 96-9-2 and 96-5-39 at the subsidy rates established in those orders for the remainder of the present rate period or until such times as increased funding does become available. Served 8-11-97	8-5-97
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Intervening numbers have not been issued

Order	Docket	Summary	Date Action Taken
97-8-9	OST-97-2785	<p>ESSENTIAL AIR SERVICE AT FAIRMONT, MINNESOTA; BROOKINGS, SOUTH DAKOTA; YANKTON, SOUTH DAKOTA; DEVILS LAKE, NORTH DAKOTA; JAMESTOWN, NORTH DAKOTA; NORFOLK, NEBRASKA UNDER 49 U.S.C. 41731 <i>et seq.</i></p> <p>The Department is revising the service levels and subsidy rate for the essential air service (EAS) to be operated by Great Lakes Aviation, Ltd., d/b/a United Express, at Fairmont, Minnesota, Brookings and Yankton, South Dakota, Devils Lake and Jamestown, North Dakota, and Norfolk, Nebraska, and is reselecting Great Lakes to provide subsidized essential air service at the six communities for a new two-year rate term beginning when the new service is implemented on or about August 18, 1997, through July 31, 1999.</p> <p>Served 8-12-97</p> <p>Intervening number has not been issued</p>	6-8-97
97-8-11	UNDOC'D	<p>MILLON AIR, INC. VIOLATIONS OF 49 U.S.C. 41101 AND ORDER 96-2-33</p> <p>The Department approves this settlement and the provisions of this order as in the public interest and finds that Millon Air Inc., violated 49 U.S.C. Section 41101 and Order 96-2-33 by performing unauthorized scheduled service between points in the U.S. and points in Ecuador without the requisite frequencies as described. Therefore, Millon Air, Inc., is ordered to cease and desist from further violations and is assessed \$80,000 in compromise of civil penalties.</p> <p>Served 8-7-97</p> <p>ORDERS NOT RELEASED AS OF 8-8-97: 97-8-6, 97-8-7, 97-8-8 AND 97-8-10</p>	8-7-97